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Attorney's Docket No.: 16614-030001

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Number of pages including this page 3

Applicant : Thomas E. Tarara et al.
Serial No. : 10/612,393
Filed : July 3, 2003

Art Unit : 1616
Examiner : Sharmila S. Gollamudi

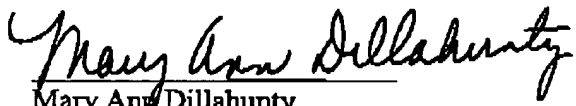
Title : Engineered Particles and Methods of Use

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is a Supplemental Response to Restriction Requirement and Interview Summary, faxed this 10th day of March, 2005, to the United States Patent and Trademark Office.

Respectfully submitted,

Date: March 10, 2005


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas E. Tarara et al. Art Unit : 1616
Serial No. : 10/612,393 Examiner : Sharmila S. Gollamudi
Filed : July 3, 2003
Title : ENGINEERED PARTICLES AND METHODS OF USE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT
AND INTERVIEW SUMMARY

RESPONSE TO RESTRICTION REQUIREMENT:

Responsive to the action mailed September 10, 2004 and the Interview Summary of August 27, 2004, applicants elect the invention of Group IV, claims 24-26, drawn to the embodiment of preparing microparticles, classified in class 516, subclass 11. The election is made with traverse.

Applicants traverse the restriction requirement for the following reason. A Request for Declaration of Interference with U.S. Patent No. 6,416,739 ("the '739 patent") was filed in this application on January 29, 2004. Each independent claim of this application corresponds to a claim of the '739 patent. Applicants submit that restriction of the claims in this instance, rather than avoiding an undue burden, actually creates an undue burden on the Office because it requires the declaration and disposition of four separate interferences to determine priority of invention of a single patent and a single application. Accordingly, applicants hereby request that the restriction requirement be withdrawn.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

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Applicant : Thomas E. Tarara et al.
Serial No. : 10/612,393
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Page : 2 of 2

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INTERVIEW SUMMARY:

Applicants acknowledge with appreciation the Examiner's agreement during the August 27, 2004 telephone interview to vacate the previous office action and correct the statutory time period.

This response is supplemental to the response to restriction requirement filed by Express Mail on March 9, 2005 in that it includes an interview summary.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: March 10, 2005

Mary Ann Dillahunty
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